



ROBERT C. WHITAKER JR.

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July 9, 2025

Via ECF

United States District Judge
Hon. Anne M. Nardacci
James T. Foley U.S. Courthouse
445 Broadway
Albany, New York 12207

**Re: Moulton v. Tioga Co. et al.
Case No. 3:22-cv-340-AMN-ML**

Dear Judge Nardacci:

Plaintiff's counsel recently filed a Motion for Attorney's Fees with a response deadline of July 28, 2025. *See* Dkt. No. 123. Defendants believe this motion is premature as a final judgment has not been entered, the Rule 50(a) motion remains pending with further briefing due on July 14, 2025, and a punitive damages hearing has not occurred. Further, I am out of state for military reserve duty from July 13 – July 30, 2025. As the Court knows, I rescheduled this obligation to attend trial for this matter.

Defendants respectfully request that the deadline for their response to the pending motion be adjourned and shall not be due until 21 days after judgment is entered against them, should that occur following the Court's Rule 50(a) determination. I have conferred with Plaintiff's counsel who disagrees that their motion is premature, but advised they do not oppose this request.

Thank you for your time and consideration.

Respectfully submitted,

HANCOCK ESTABROOK, LLP

A handwritten signature in blue ink, appearing to read 'RC Whitaker'.

Robert C. Whitaker Jr.

RCW:sat